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12 Attorneys for Plaintiff/Counterdefendant

13 UNITED STATES DISTRICT COURT

14 DISTRICT OF NEVADA

15 TRAVELERS CASUALTY AND SURETY
16 COMPANY OF AMERICA, a Connecticut
corporation,

17 Plaintiff,

18 vs.

19 WILLIAMS BROTHER, INC., a Nevada
20 corporation; PEEK CONSTRUCTION
COMPANY, a Nevada corporation;
21 MICHAEL WILLIAMS, an individual;
JOSIE WILLIAMS, an individual;
22 ASHLEY WILLIAMS, an individual;
MARIA WILLIAMS, an individual;
23 MARK GUBLER, an individual; DAWNA
GUBLER, an individual; DARIN
24 GUBLER, an individual; and KAREN
GUBLER, an individual; BRENDA
25 COMPTON PEEK, an individual;
MICHAEL L. PEEK, an individual; ECCL
26 HOLDINGS, LLC, a Nevada limited
liability company; BLC NEVADA TRUST
27 DATED APRIL 20, 2006, a Nevada Trust,

28 Defendants.

Case No.: 2:12-CV-00058-LDG -NJK

ORDER

1 WILLIAMS BROTHER, INC., a Nevada
2 corporation; PEEK CONSTRUCTION
3 COMPANY, a Nevada corporation,

4 Counterclaimants,

5 vs.

6 TRAVELERS CASUALTY AND SURETY
7 COMPANY OF AMERICA, a Connecticut
8 corporation,

9 Counterdefendant.

10 The Court, having reviewed Travelers Casualty and Surety Company of America's
11 Motion for Order Disregarding Sham Corporate Form and Authorizing Direct Levy Upon
12 Assets, CSC Holdings [Dkt. 463], and having reviewed the supporting declaration and
13 evidence, and the Court having received no response from Judgment Debtor BLC Nevada
14 Trust or any other Defendant or Judgment Debtor, and good cause appearing,

15 THE COURT FINDS as follows:

16 1. Defendants Michael and Brenda Peek are Trustees of Judgment Debtor BLC
17 Nevada Trust.

18 2. Trustees Michael and Brenda Peek have notice of Travelers' pending motion
19 and so does Judgment Debtor BLC Nevada Trust.

20 3. Judgment Debtor BLC Nevada Trust owns alleged entity CP Enterprises,
21 LLC, a Nevada limited liability company.

22 4. CP Enterprises, LLC is a sham entity whose form is illegitimate and entitled to
23 no recognition.

24 5. CSC Holdings, LLC is ostensibly owned by CP Enterprises, LLC.

25 6. Neither of CP Enterprises' managers, Defendant Brenda Peek and her step
26 daughter Leslie Jay, knew anything about CSC Holdings when asked, including what CSC
27 Holdings was, whether CSC conducted any business, or whether CSC had any assets.

28 7. The evidence presented shows that CSC Enterprises, LLC is a sham entity that
is not entitled to any protection of the LLC form.

1 8. The evidence shows that on August 21, 2009, CSC Holdings loaned \$86,250.00
2 to Mr. Terry Cupp.

3 9. The evidence shows that on December 18, 2009, T Cupp & Associates, LLC
4 conveyed two tracts of land in the City of Mountain Juliet, Tennessee to Terry Cupp and
5 CSC Holdings, with each grantee obtaining a 50% interest in the land.

6 For the reasons set forth above,

7 IT IS HEREBY ORDERED AND ADJUDGED that CSC Holdings, LLC's corporate
8 form is illegitimate and entitled to no recognition.

9 IT IS FURTHER ORDERED that, because CSC Enterprises, LLC's corporate form is
10 not entitled to recognition, Travelers is entitled to seize or levy directly upon CSC
11 Holdings, LLC's interest in the real property that CSC owns in the city Mountain Juliet,
12 Tennessee, which is more particularly described in the attached Exhibit A, upon the order
13 of a court of competent jurisdiction and in accordance with the procedures of the laws of
14 the State of Tennessee.

15 IT IS FURTHER ORDERED that Travelers is entitled to all of CSC Holdings right,
16 title and interest in the promissory note between CSC Holdings, LLC and maker Terry
17 Cupp, and that Travelers may execute legal process upon maker Terry Cupp to obtain all
18 amounts owed under the note and to enforce the note obligation, and that any proceeds
19 received from said promissory note shall be applied Travelers in partial satisfaction of
20 Travelers Judgment against Judgment Debtor BLC Nevada Trust

21 DATED: 15 May 2015


22
23 
24 U.S. District Court Judge
District of Nevada
25 Lloyd D. George
26
27
28

EXHIBIT A

3

QUITCLAIM DEED

THIS INDENTURE, made and entered into this 18th day of December, 2009, by and between TCUPP and ASSOCIATES, LLC, a Limited Liability Company organized and existing under the laws of the State of Nevada, hereinafter called GRANTOR,

and CSC HOLDINGS LLC and TERRY CUPP,
hereinafter called GRANTEE.

WITNESSETH: That for the consideration hereinafter expressed, the Grantor has bargained, released, remised and quitclaimed and does hereby, release, remise and quitclaim unto the Grantee, the following described real property, to wit:

LOCATED AND BEING SITUATED in the City of Mount Juliet, the FOURTH (4th) Civil District of the County of Wilson, State of Tennessee, and being known and designated as follows, to wit:

TRACT 2, TCupp & Associates, LLC's Rutland Road and Beckwith Road Subdivision, as described on the land survey of Fisher & Arnold, Inc. Project No. DN4612.1, dated June 18, 2007, revised August 1, 2007, to which reference is here made, and being more particularly described as follows: BEGINNING at a point in the westerly margin of the right-of-way of BECKWITH ROAD, 17.35 feet, more or less, in a northerly direction from the point of intersection of the westerly margin of the right-of-way of BECKWITH ROAD with the northerly margin of the right-of-way of RUTLAND ROAD; thence, from said BEGINNING Point and with the northeasterly margin of the right-of-way of the proposed BECKWITH ROAD Extension, following a curve to the left with a radius of 1022.24 feet in a northwesterly direction, a delta of 26 deg., 14 min., 07 sec., a length of 468.08 feet to an iron pin; thence, leaving the northeasterly margin of the right-of-way of the proposed BECKWITH ROAD Extension, South 79 deg., 08 min., 14 sec. East 346.20 feet to an iron pin in the westerly margin of the right-of-way of BECKWITH ROAD; thence, with the westerly margin of the right-of-way of the BECKWITH ROAD the following two (2) calls and distances: South 12 deg., 12 min., 32 sec. West 216.00 feet to an iron pin;

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CSC
#18

thence South 19 deg., 00 min., 13 sec. West 116.81 feet to the Point of
BEGINNING, containing 1.16 acres, more or less.

BEING PART OF THE SAME property described in Wilson County
Register's Deed Book 1206, Page 491.

Any reference to recorded instruments is reference to the
Register's Office in said County.

THE CONSIDERATION for this conveyance is TEN AND
00/100****Dollars (\$10.00) cash in hand paid, and other good and
valuable considerations, the receipt and legal sufficiency and
adequacy of which is hereby acknowledged.

GRANTOR:

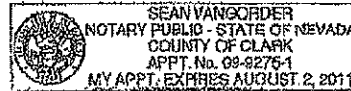
TCUPP and ASSOCIATES, LLC

BY: Terry Cupp
Terry Cupp, Manager

STATE OF NEVADA, COUNTY OF Clark :SS

On this 28 day of December, 2009, before me, the undersigned authority, personally
appeared Terry Cupp, with whom I am personally acquainted (or proved to me on the basis
of satisfactory evidence), and who upon oath, acknowledged that himself to be the Manager
of the TCupp & Associates, LLC, the within named bargainor, a Nevada Limited Liability
Company, and that he as such Manager, executed the foregoing instrument for the purpose
therein contained, by signing the name of the Limited Liability Company by himself as
Manager.

My Commission Expires: 8/2/2011 Sean Vangorder, NOTARY PUBLIC



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STATE OF LAS VEGAS, COUNTY OF NEVADA: ss
 I hereby swear or affirm that to the best of the Affiant's knowledge, information, and belief, the actual consideration for this transfer or value of the property transferred whichever is greater, is \$0.00, which amount is equal to or greater than the amount which the property transferred would command at a fair and voluntary sale.

Terry Cupp, AFFIANT

SWORN TO AND SUBSCRIBED BEFORE me this 23 day of December, 2009.

[Signature], NOTARY PUBLIC

My Commission Expires 02/22/11
 NOTARY PUBLIC - STATE OF NEVADA
 COUNTY OF CLARK
 APPT. No. 09-8276-1
 MY APPT. EXPIRES AUGUST 2, 2011

RESPONSIBLE TAXPAYER:

CSC HOLDINGS LLC and Terry Cupp
 c/o TCup and Associates, LLC
 5842 Bunch Street
 Las Vegas, Nevada 89122

PROPERTY ADDRESS:

1575 Rutland Drive (PART)
 Mt. Juliet, Tennessee 37122

FILE NO.: 09-12001

CLT No.: 04-078-012.00 (PART)

MAIL TAX NOTICES TO:

SAME AS ABOVE.

PROPERTY OWNER:

CSC HOLDINGS LLC and Terry Cupp
 c/o TCup and Associates, LLC
 5842 Bunch Street
 Las Vegas, Nevada 89122

THIS INSTRUMENT PREPARED FOR RECORDING BY:

J. Nolan Sharbel, Attorney, 6324 Papermill Drive, Suite D, Knoxville, Tennessee 37919

BK/PG: 1382/2053-2055

09412377

3 PGS: AL - QUITCLAIM DEED	
WESTY BATCH 185027	12/30/2009 - 09:10 AM
VALUE	0.00
MORTGAGE TAX	0.00
TRANSFER TAX	0.00
RECORDING FEE	15.00
ARCHIVE FEE	0.00
DP FEE	2.00
REGISTER'S FEE	0.00
TOTAL AMOUNT	17.00

STATE OF TENNESSEE, WILSON COUNTY
 JOHN B SPICKARD
 REGISTER OF DEEDS

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3

QUITCLAIM DEED

THIS INDENTURE, made and entered into this 18th day of December, 2009, by and between TCUPP and ASSOCIATES, LLC, a Limited Liability Company organized and existing under the laws of the State of Nevada, hereinafter called GRANTOR,

and CSC HOLDINGS LLC and TERRY CUPP, hereinafter called GRANTEE.

WITNESSETH: That for the consideration hereinafter expressed, the Grantor has bargained, released, remised and quitclaimed and does hereby, release, remise and quitclaim unto the Grantee, the following described real property, to wit:

LOCATED AND BEING SITUATED in the City of Mount Juliet, the FOURTH (4th) Civil District of the County of Wilson, State of Tennessee, and being known and designated as follows, to wit:

TRACT 1, TCupp & Associates, LLC's Rutland Road and Beckwith Road Subdivision, as described on the land survey of Fisher & Arnold, Inc. Project No. DN4612.1, dated June 18, 2007, revised August 1, 2007, to which reference is here made and being more particularly described as follows:

BEGINNING at a point in the northerly margin of the right-of-way of RUTLAND ROAD, 125.25 feet, more or less, westerly from the point of intersection of northerly margin of the right-of-way of RUTLAND ROAD with the westerly margin of the right-of-way of BECKWITH ROAD; thence, from said BEGINNING Point and with the northerly margin of the right-of-way of RUTLAND ROAD the following two (2) calls and distances: North 82 deg., 00 min., 26 sec. West 375.47 feet to an iron pin; thence, following a curve to the right with a radius of 443.31 feet in a northwesterly direction, a delta of 11 deg., 39 min., 38 sec., a length of 90.22 feet to an iron pin; thence, leaving the northerly margin of the right-of-way of RUTLAND ROAD, North 13 deg., 37 min., 29 sec. East 162.25 feet to a post; thence North 08 deg., 00 min., 27 sec. East 144.03 feet to an iron pin in the southwesterly margin of the right-of-way of proposed BECKWITH ROAD Extension; thence, following the curve to the right of the proposed BECKWITH ROAD Extension with a radius of 902.24 feet in a southeasterly direction, a delta

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of 28 deg., 58 min., 57 sec., a length of 456.39 feet to the Point of BEGINNING, containing 1.40 acres, more or less.

BEING PART OF THE SAME property described in Wilson County Register's Deed Book 1206, Page 491.

Any reference to recorded instruments is reference to the Register's Office in said County.

THE CONSIDERATION for this conveyance is TEN AND 00/100****Dollars (\$10.00) cash in hand paid, and other good and valuable considerations, the receipt and legal sufficiency and adequacy of which is hereby acknowledged.

GRANTOR:

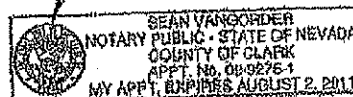
TCUPP and ASSOCIATES, LLC

BY: Terry Cupp
Terry Cupp, Manager

STATE OF NEVADA, COUNTY OF Clark :SS

On this 23 day of December, 2009, before me, the undersigned authority, personally appeared Terry Cupp, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who upon oath, acknowledged that himself to be the Manager of the TCupp & Associates, LLC, the within named bargainor, a Nevada Limited Liability Company, and that he as such Manager, executed the foregoing instrument for the purpose therein contained, by signing the name of the Limited Liability Company by himself as Manager.

My Commission Expires: 8/2/11 MG NOTARY PUBLIC



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STATE OF LAS VEGAS, COUNTY OF NEVADA: ss

I hereby swear or affirm that to the best of the Affiant's knowledge, information, and belief, the actual consideration for this transfer or value of the property transferred whichever is greater, is \$0.00, which amount is equal to or greater than the amount which the property transferred would command at a fair and voluntary sale.

Terry Cupp, AFFIANT

SWORN TO AND SUBSCRIBED BEFORE me this 23 day of December, 2009.

[Signature], NOTARY PUBLIC

My Commission Expires 08/21/2011
 NOTARY PUBLIC - STATE OF NEVADA
 COUNTY OF CLARK
 APPT. No. 09-0875-1
 MY APPT. EXPIRES AUGUST 6, 2011

RESPONSIBLE TAXPAYER:

CSC HOLDINGS LLC and Terry Cupp

c/o TCupp and Associates, LLC

5842 Bunch Street

Las Vegas, Nevada 89122

PROPERTY ADDRESS:

1575 Rutland Drive (PART)

Mt. Juliet, Tennessee 37122

FILE NO.: 09-12001

CLT No.: 04-078-012.00 (PART)

MAIL TAX NOTICES TO:

SAME AS ABOVE.

PROPERTY OWNER:

CSC HOLDINGS LLC and Terry Cupp

c/o TCupp and Associates, LLC

5842 Bunch Street

Las Vegas, Nevada 89122

THIS INSTRUMENT PREPARED FOR RECORDING BY:

J. Nolan Sharbel, Attorney, 6324 Papermill Drive, Suite D, Knoxville, Tennessee 37919

BK/PG: 1382/2050-2052

09412376

3 PGS : AL - QUITCLAIM DEED	
WISTY BATCH: 188027	12/30/2009 - 08:10 AM
VALUE	0.00
MORTGAGE TAX	0.00
TRANSFER TAX	0.00
RECORDING FEE	15.00
ARCHIVE FEE	0.00
DP FEE	2.00
REGISTER'S FEE	0.00
TOTAL AMOUNT	17.00

STATE OF TENNESSEE, WILSON COUNTY
 JOHN B SPICKARD
 REGISTER OF DEEDS

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